

PAUL J. HOOTEN, ESQ

UNITED STATES SOUTHERN DIST. COURT - NEW YORK COUNTY

GARDEN CITY BOXING CLUB, INC.,
PLAINTIFF

- VS. -

ERNESTO'S KITCHEN INC DBA NOW A DAYS
RESTAURANT
AKA VICTORS ET ANO,
DEFENDANT

Index No: 07-CV-4718 (WCC)

Date Filed: 00/00/0000

Office No:

Court Date: 12/05/2007

STATE OF NEW YORK COUNTY OF NEW YORK :SS:

JOSEPH BARNUM being duly sworn, deposes and says;

I AM OVER THE AGE OF 18 YEARS AND RESIDE IN THE STATE OF NEW YORK.

That on 11/07/2007 at 10:20AM at 500 COMMERCE STREET % Ernesto's Kitchen, HAWTHORNE, NY 10532, I served the ORDER TO SHOW CAUSE upon CESAR ALEX MORA the DEFENDANT therein by delivering and leaving a true copy or copies of the aforementioned documents with said DEFENDANT personally.

Deponent describes the person served as aforesaid to the best of deponent's ability at the time and circumstances of service as follows:

SEX: MALE

COLOR: WHITE

HAIR: BROWN

APP. AGE: 40

APP. HT: 5'8

APP. WT: 165

OTHER IDENTIFYING FEATURES:

That at the time of such service I knew the person so served as aforesaid to be the same person mentioned and described in the aforementioned documents as CESAR ALEX MORA the DEFENDANT in this action.

Sworn to before me on 11/08/2007.

HARVEY TAUBER
Notary Public, State of New York
No. 01TA4667012
Qualified in BRONX
Commission Expires 12/31/2010

JOSEPH BARNUM
AAA ATTORNEY SERVICE CO. OF NY, INC.
20 VESEY ST., ROOM 1110
NEW YORK, NY 10007
Ref#: 1PJH910023
ML

No. 4186 P. 3

Nov. 8. 2007 12:39PM